

Introduced by

Representative D. Johnson

Senator Kreun

1 A concurrent resolution urging Congress and the President of the United States to fulfill the
2 federal government's promises to North Dakota, allow the utilization of the Garrison Diversion
3 Unit facilities, including the McClusky Canal and the Snake Creek pumping plant, as a water
4 supply for eastern and central North Dakota, irrigation, and for all other authorized project
5 purposes, ~~and~~ not deauthorize or repurpose any part of the Garrison Diversion Unit, and to
6 allow the continuation of the Garrison Diversion project canal system to aid the delivery of water
7 to the Red River Valley.

8 **WHEREAS**, the federal government invested millions of dollars designing and constructing
9 the Garrison Diversion Unit; and

10 **WHEREAS**, the federal government promised North Dakota one million acres of irrigation
11 and a water supply for eastern and central North Dakota, among other things, in exchange for
12 hundreds of thousands of acres of prime river bottom land to build the Garrison Dam, a promise
13 that has never been fulfilled; and

14 **WHEREAS**, the operation of the Garrison Diversion Unit does not violate the Boundary
15 Waters Treaty of 1909 with Canada; and

16 **WHEREAS**, the Dakota Water Resources Act of 2000 recognizes the dire need for a
17 reliable, high-quality water supply in eastern North Dakota; and

18 **WHEREAS**, after studies and reports authorized under the Dakota Water Resources Act of
19 2000, the United States Bureau of Reclamation's needs and options report clearly concluded
20 there is a significant need for a municipal, rural, and industrial water supply in eastern North
21 Dakota; and

22 **WHEREAS**, the environmental impact statement, developed jointly by the Bureau of
23 Reclamation and North Dakota, represented by the Garrison Diversion Conservancy District,
24 further identifies the Missouri River as the most reliable water source and utilizing the Garrison

1 Diversion Unit principal supply works as the most cost-effective way to supply the needed water
2 to eastern North Dakota; and

3 **WHEREAS**, a report by the United States Department of the Interior's Office of Inspector
4 General recommended the Garrison Diversion Unit be deauthorized by the federal government;
5 and

6 **WHEREAS**, the Bureau of Reclamation on more than one occasion supported title transfer
7 of the Garrison Diversion Unit to North Dakota, but with restrictions that made the title transfer
8 unfeasible; and

9 **WHEREAS**, representatives of the Bureau of Reclamation conducted limited sensing
10 sessions in North Dakota, and were told by citizens of North Dakota to utilize the Garrison
11 Diversion Unit project and not repurpose it; and

12 **WHEREAS**, the United States Bureau of Reclamation and the Garrison Diversion
13 Conservancy District completed an environmental impact statement evaluating eight
14 alternatives for supplying the Red River Valley with water in 2005, supplemented the statement
15 in January 2007, and completed a final environmental impact statement in December 2007; and

16 **WHEREAS**, the federal government and the state both selected the Garrison Diversion Unit
17 import to the Sheyenne River as the best alternative for the project, taking into consideration
18 water permitting, environmental impacts, and technical, hydrologic, and design evaluations; and

19 **WHEREAS**, the Bureau of Reclamation sent a comprehensive report of the Garrison
20 Diversion Unit to Congress in 2008;

21 **NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF**
22 **NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

23 That the Sixty-fifth Legislative Assembly urges Congress and the President of the United
24 States to fulfill the federal government's promises to North Dakota, allow the utilization of the
25 Garrison Diversion Unit facilities, including the McClusky Canal and the Snake Creek pumping
26 plant, as a water supply for eastern and central North Dakota, irrigation, and for all other
27 authorized project purposes, ~~and~~ not deauthorize or repurpose any part of the Garrison
28 Diversion Unit, and to allow the continuation of the Garrison Diversion project canal system to
29 aid the delivery of water to the Red River Valley; and

- 1 **BE IT FURTHER RESOLVED**, that the Garrison Diversion Conservancy District and State
2 Water Commission be requested to study the desirability, feasibility, and affordability of taking
3 title to the Garrison Diversion Unit and utilizing it for authorized project purposes; and
4 **BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution
5 to the President of the United States and each member of the North Dakota Congressional
6 Delegation.